

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2869 OF 2006
IN
APPEAL (L) NO. 526 OF 2006
IN
NOTICE OF MOTION NO. 857 OF 2006
IN
SUMMARY SUIT NO. 1280 OF 2003

Videocon Industries Limited .. Appellants.
(formerly known as M/s.Videocon
International Ltd.).

V/s.

M/s. Crystal Audio Limited .. Respondents.

Mr.R.D.Soni i/by M/s. Ram & Co. for the Appellants.

Mr.Rohit Kapadia i/by M/s.Y.N.Adhia for the Respondents.

CORAM : R.M.LODHA & S.A.BOBDE, JJ.

DATED : 08th SEPTEMBER, 2006.

P.C.:

. The Appeal suffers from delay of 28 days and, therefore, by means of this Notice of Motion, the appellants pray for condonation of delay.

2. In the affidavit in support of the Notice of Motion, the delay is sought to be explained by the statement made in paragraph 2. Though Mr.Rohit Kapadia, senior counsel for the Respondent, submitted that the statement made in paragraph 2 of the affidavit in

support of the Notice of Motion is a false statement, except the bald submission at the bar, the respondent has not chosen to controvert the said statement by filing any affidavit.

3. In the circumstances, we accept the explanation given in paragraph 2 of the affidavit in support of the Notice of Motion and condone the delay in filing the Appeal.

4. Office is directed to process the Appeal and post it for admission on 15th of September, 2006 along with the Appeal No.429 of 2006.

5. It will be the responsibility of the Advocate for the Appellants to remove office objections, if any, within three days from today.

6. Notice of motion stands disposed of.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)

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